

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

THOMAS ADAM HENDERSON,

Plaintiff,

v.

**DECISION AND ORDER
15-CV-802A**

C.O. E. LEVY, et al.,

Defendants.

The above-referenced case was referred to Magistrate Judge Michael J. Roemer, pursuant to 28 U.S.C. § 636(b)(1)(B). On March 1, 2019, Magistrate Judge Roemer filed a Report and Recommendation (Dkt. No. 32), recommending that Defendants' motion to dismiss Plaintiff's complaint for failure to prosecute (Dkt. No. 30) be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Roemer's Report and Recommendation, Defendants' motion to dismiss Plaintiff's complaint for failure to prosecute (Dkt. No. 30) is granted.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

s/Richard J. Arcara

**HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT**

Dated: March 28, 2019

